NEWKIRK NZ ZWAGERMAN

NEWKIRK ZWAGERMAN, P.L.C.

February 26, 2021

ECF
The Honorable Steven I. Locke
United States Magistrate Judge
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

   Re: *Atkinson-Wignall v. SUNY*, No. 2:19-cv-6527 (GRB/SIL)

Dear Judge Locke:

This firm represents Plaintiff, Janelle Atkinson-Wignall, in the above-referenced matter. I write regarding the discovery deadlines set forth in this Court's June 3, 2020 Order.

After the Court's June 3, 2020 Order, Defendant filed a Motion to Dismiss. All briefing on the Motion to Dismiss was completed on August 4, 2020. The Court has not yet ruled on the Motion to Dismiss. Because Defendant's Motion to Dismiss is still pending, Plaintiff respectfully requests that the current deadlines be extended by 3 months.

Plaintiff's counsel has conferred with Defendant's counsel, who join in this motion to extend the deadlines.

The current scheduled deadlines are:

   Completion of depositions: March 15 ,2021
   Case-in-chief experts and Rule 26 disclosures: April 26, 2021
   Rebuttal experts: May 31, 2021
   Summary judgement: July 26, 2021
   Pretrial conference: August 17, 2021

This is Plaintiff's first motion for an extension of the deadlines. As both parties are moving to extend the deadlines, neither party will be prejudiced by an extension. An extension will ensure the discovery deadline does not close before the Court is able to rule on the Motion to Dismiss and, therefore, ensure the parties have knowledge of the scope of Plaintiff's claims and what remaining discovery is required.

Thank you for your consideration.

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Respectfully submitted,

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